

CRIMINAL CAUSE FOR SENTENCING

(Time on bench :50)

Before: Seybert, J.

Date: 10/23/2009 Time: 11:30

Docket number: CR 05-654

Title: USA-V-

Deft name: Michael Fox

deft: #

X present ___ not present ___ in custody X on bail

Atty for deft: Gino Josh Singer

C.J.A.

X present

___ not present

X retained

A.U.S.A.: Charles Kelly

Deputy Clerk: C. Baran

U.S.P.O.: N. Pizzo

Court Reporter: P. Lombardi

X Case called for sentence. Counsel for all sides present.

X Statements of defendant and counsel heard.

X Defendant objections to the PSR are noted.

___ Rulings re: Guidelines are entered on the record.

___ PSR adopted.

X PSR adopted, as amended.

X Guidelines are adopted.

___ Guidelines adopted, as amended.

X The defendant is sentenced as follows:

X The defendant is sentenced to a period of imprisonment of 24 months on Count 1, to be followed by a period of supervised release of 3 years.

X Special conditions of supervised release:

X The defendant shall not possess a firearm, ammunition, or destructive device.

X Other: The defendant shall make full financial disclosure to the Probation Dept. and pay restitution of \$142,000.00.

_____ The defendant shall be fined the sum of \$ _____.

X The fine shall be waived due to the defendant's inability to pay such a fine.

X Special assessment of \$100 is imposed on each count for a total assessment of 100.00 .

____ The defendant's motion for a downward departure of the Guidelines is hereby:

 Decision entered on the record.

On motion of the AUSA the remaining counts of the Indictment and/or Superseding Indictment are hereby dismissed.

X The defendant is advised of his right to appeal.

The defendant remains in custody. X remains on bail.
 is remanded. X shall surrender on 1/ 4/2010.